

AMENDED IN ASSEMBLY APRIL 30, 2013
AMENDED IN ASSEMBLY APRIL 16, 2013
AMENDED IN ASSEMBLY FEBRUARY 14, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 193

Introduced by Assembly Member Logue

January 28, 2013

An act to add ~~Section~~ *Sections 9166.5 and 9288* to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL’S DIGEST

AB 193, as amended, Logue. ~~Municipal~~ *Local* ballot measures: arguments.

Existing law specifies procedures applicable to the preparation, submittal, and printing of arguments for and against a *county or city* ballot measure that qualifies for a place on the ballot. Existing law requires the *county or city* elections official to fix a date ~~14 days from the calling of the election, as specified,~~ as a deadline for submission of arguments for and against ~~a city~~ a ballot measure.

This bill would require the *county or city* elections official to extend the deadline for submission of arguments relating to a ~~city~~ ballot measure by one calendar day if an argument in favor of or against a ~~city~~ measure is not submitted by the deadline fixed by the official. In doing so, this bill would require the *county or city* elections official to immediately issue a press release requesting that arguments for or against the measure, or both, as applicable, be submitted by the extended deadline.

By imposing additional duties on local elections officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 9166.5 is added to the Elections Code,*
2 *to read:*

3 *9166.5. (a) Notwithstanding Section 9163, if an argument in*
4 *favor of or against a county measure is not submitted for inclusion*
5 *with the sample ballot materials by the date fixed by the county*
6 *elections official, the county elections official shall do both of the*
7 *following:*

8 *(1) Extend the deadline to submit arguments for or against the*
9 *measure by one calendar day.*

10 *(2) Immediately issue a press release that contains all of the*
11 *following:*

12 *(A) The impartial analysis of the measure prepared by the county*
13 *counsel or the district attorney pursuant to Section 9160.*

14 *(B) A statement that an argument for or against the measure,*
15 *or both, has not been submitted for inclusion with the sample ballot*
16 *materials.*

17 *(C) A request that arguments for or against the measure, or*
18 *both, as applicable, be submitted by the extended deadline.*

19 *(b) If the county elections official extends the deadline pursuant*
20 *to subdivision (a), any person or organization otherwise qualified*
21 *to submit an argument relating to the county measure may submit*
22 *an argument for or against the measure, as applicable, by the*
23 *extended deadline. The argument shall be prepared and submitted*
24 *in accordance with Sections 9162 and 9164.*

25 ~~SECTION 1.~~

26 *SEC. 2. Section 9288 is added to the Elections Code, to read:*

1 9288. (a) Notwithstanding Section 9286, if an argument in
2 favor of or against a city measure is not submitted for inclusion
3 with the sample ballot materials by the date fixed by the city
4 elections official, the city elections official shall do both of the
5 following:

6 (1) Extend the deadline to submit arguments for or against the
7 measure by one calendar day.

8 (2) Immediately issue a press release that contains all of the
9 following:

10 (A) The impartial analysis of the measure prepared by the city
11 attorney pursuant to Section 9280.

12 (B) A statement that an argument for or against the measure, or
13 both, has not ~~be~~ *been* submitted for inclusion with the sample ballot
14 materials.

15 (C) A request that arguments for or against the measure, or both,
16 as applicable, be submitted by the extended deadline.

17 (b) If the city elections official extends the deadline pursuant
18 to subdivision (a), any person or organization otherwise qualified
19 to submit an argument relating to the city measure may submit an
20 argument for or against the measure, as applicable, by the extended
21 deadline. The argument shall be prepared and submitted in
22 accordance with Sections 9282 and 9283.

23 ~~SEC. 2.~~

24 *SEC. 3.* If the Commission on State Mandates determines that
25 this act contains costs mandated by the state, reimbursement to
26 local agencies and school districts for those costs shall be made
27 pursuant to Part 7 (commencing with Section 17500) of Division
28 4 of Title 2 of the Government Code.